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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 ANH VU NGUYEN,

9 Petitioner,

10 v.

11 TIMOTHY WINGLER,

12 Respondent.

No. C08-1580RSL

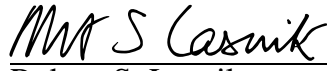
ORDER OF REFERENCE

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14 Pursuant to 28 U.S.C. § 636(b)(1), Fed. R. Civ. P. 72(b)(3), and Local MJR 4, the
15 Court hereby recommits the above-captioned matter to the Honorable Mary Alice Theiler,
16 United States Magistrate Judge, for further consideration. In April 2009, petitioner notified the
17 court that he intended to submit another petition for habeas corpus after reviewing respondent's
18 answer. The amended petition was filed on or about May 29, 2009 (Dkt. # 27), two weeks after
19 Judge Theiler submitted her Report and Recommendation to the undersigned. Because the
20 original petition was not a model of clarity, the Report and Recommendation makes assumptions
21 regarding the factual and legal grounds asserted by petitioner. The amended document is more
22 complete and should obviate the need to speculate regarding the nature or basis of petitioner's
23 grounds for relief.

24 The Court declines to adopt the Report and Recommendation submitted on May
25 15, 2009. The Magistrate Judge shall consider the amended petition for habeas corpus pursuant
26 to 28 U.S.C. § 636(b)(1)(B).

ORDER OF REFERENCE

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2 DATED this 30th day of July, 2009.
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5 Robert S. Lasnik
6 United States District Judge
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